

07.25.05

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S)

Jesus S. Ortega, et al.

TITLE

INSTRUCTION GENERATING SYSTEM AND PROCESS VIA SYMBOLIC REPRESENTATIONS

APPLICATION NO.

10/007,358

**FILED** 

November 5, 2001

CONFIRMATION NO.

3572

**EXAMINER** 

Zhou, Ting

**ART UNIT** 

2173

LAST OFFICE ACTION

February 22, 2005

ATTORNEY DOCKET NO.

D/A0A47

XERZ 2 00422

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **February 22**, **2005** finally rejecting claims 1-9. The items checked below are appropriate:

## 1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

other than a small entity \$500.00

| 3.   | EXTENSION OF TERM   |  |
|--|---|--|
|  | Applicant hereby petitions for amonth extension of  | the Commissioner under 37 C.F.R. §1.136(a) time up to and including  |
| in which to file the accompanying Notice of Appeal.  |   | Notice of Appeal.  |
| 4.   | TOTAL FEES DUE The total fee due is:  |  |
|  | Notice of Appeal Fee:<br>Extension of Time Fee:   | \$500.00<br>\$ .00   |
| 5.   | METHOD OF PAYMENT  ☐ The fee for the Notice of Appeal is authorized to be charged to Deposit Account No. 24-0037 as indicated above.  |  |
|  | If any additional extension of time fees or other additional fees are required, this a request therefore, and authorization to charge Deposit Account No. 24-0037.  Respectfully submitted, |  |
|  |   | FAY, SHARPE, FAGAN,  |
|  |   | MINNICH & McKEE, LLP   |
| July 2<br>Date   | <u>22, 2005</u>   | Mark S./Svat, Reg. No. 34,261<br>1100 Superior Avenue, Seventh Floor<br>Cleveland, OH 44114-2579<br>216-861-5582 |
| CERTIFICATE OF MAILING   |   |  |
| I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being  deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.  transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.  deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |   |  |
|  | Express Mail Label No.:   | Signature D. A. Jumas A.   |
| EV 702956226 US  Date  |   | Printed Name   |
| July 22, 2005  |   | Kathleen A. Nimrichter   |

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